

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
06-CR-236

EZZAT M. SOLIMAN,

Defendant.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On September 30, 2008, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion IV to suppress evidence be denied in part and granted in so far as items outside of the scope of the search warrant should be identified and returned to defendant.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion IV to suppress evidence is denied in part and granted in so far as items outside of the scope of the search warrant should be identified and returned to defendant.

The case is referred back to the Magistrate Judge Scott for further proceedings.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: October 29, 2008